

020604
16367 U.S. PTO

PTO/SB/05 (01-04)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

UTILITY
PATENT APPLICATION
TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.	016093.0117
First Inventor	Richard E. Waitkus, Jr.
Title	"Weighing Baled..."
Express Mail Label No.	EV339226286US

U.S. PTO
10/17/2004
174323

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:
Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450174323
10/17/2004
020604

1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
3. <input checked="" type="checkbox"/> Specification [Total Pages <u>26</u>] (preferred arrangement set forth below)	a. <input type="checkbox"/> Computer Readable Form (CRF)
- Descriptive title of the invention	
- Cross Reference to Related Applications	
- Statement Regarding Fed sponsored R & D	
- Reference to sequence listing, a table, or a computer program listing appendix	
- Background of the Invention	
- Brief Summary of the Invention	
- Brief Description of the Drawings (if filed)	
- Detailed Description	
- Claim(s)	
- Abstract of the Disclosure	
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <u>6</u>]	7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
5. Oath or Declaration [Total Sheets <u> </u>]	8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
a. <input checked="" type="checkbox"/> Newly executed (original or copy)	
b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 18 completed)	
i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	
c. <input type="checkbox"/> Statements verifying identity of above copies	
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	

ACCOMPANYING APPLICATION PARTS

9. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s))	10. <input type="checkbox"/> 37 CFR 3.73(b) Statement <input type="checkbox"/> Power of (when there is an assignee) <input checked="" type="checkbox"/> Attorney
11. <input type="checkbox"/> English Translation Document (if applicable)	12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations
13. <input type="checkbox"/> Preliminary Amendment	14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed)	16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. <input checked="" type="checkbox"/> Other: Ck #877464-\$502.00; Ck #877463-\$40..... Fee Transmittal & duplicate copy.....	

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.:Prior application information: Examiner _____ Art Unit: _____
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference.
The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

 Customer Number: 023640 OR Correspondence address below

Name	Bradley S. Bowling		
Address	Baker Botts L.L.P.		
City	State	Zip Code	
Country	Telephone	Fax	713.229.7702

Name (Print/Type)	Bradley S. Bowling	Registration No. (Attorney/Agent)	52,641
Signature	<i>Bradley S. Bowling</i>	Date	February 6, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 502 and \$40

Complete if Known

Application Number	Unassigned
Filing Date	February 6, 2004
First Named Inventor	Richard E. Waitkus, Jr.
Examiner Name	Unassigned
Art Unit	Unassigned
Attorney Docket No.	016093.0117

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number
02-0383

Deposit Account Name
Baker Botts L.L.P.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s) or any underpayment of fee(s)

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	385.00
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$ 385.00)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
33	3		-20** = 13	x 9	= 117
			-3** = 0	x 43	= 0.00

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 86	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 86	2204 43	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 117.00)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

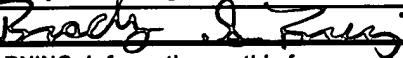
Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	40.00
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.00)

SUBMITTED BY

Name (Print/Type)	Bradley S. Bowling	Registration No. (Attorney/Agent)	52,641	Telephone	713.229.1802
Signature				Date	February 6, 2004

WARNING: Information in this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

CERTIFICATE OF MAILING VIA EXPRESS MAIL

PURSUANT TO 37 C.F.R. § 1.10, I HEREBY CERTIFY THAT I HAVE A REASONABLE BASIS FOR BELIEF THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE," AND IS ADDRESSED TO:

HONORABLE COMMISSIONER FOR PATENTS
MAIL STOP: PATENT APPLICATION
P.O. Box 1450
ALEXANDRIA, VA 22313-1450

ON FEBRUARY 6, 2004.



BRADLEY S. BOWLING

REG. NO. 52,641

02.06.2004 EV339226286US
DATE OF MAILING **EXPRESS MAIL LABEL**

U.S.S.N.: *TO BE ASSIGNED*
FILING DATE: 02.06.2004
APPLICANT: RICHARD E. WAITKUS, JR.
GROUP ART UNIT: *TO BE ASSIGNED*
EXAMINER: *TO BE ASSIGNED*
ATTORNEY DOCKET No. 016093.0117
TITLE: "WEIGHING BALED MATERIAL"

INCLUDED IN THIS MAILING FOR THE ABOVE-REFERENCED PATENT APPLICATION ARE:

1. UTILITY PATENT APPLICATION TRANSMITTAL (PTO/SB/05);
2. NEW APPLICATION TRANSMITTAL LETTER;
3. SPECIFICATION (26 PAGES INCLUDING COVER SHEET);
4. SIX (6) SHEETS OF FORMAL DRAWINGS;
5. FEE TRANSMITTAL FORM, *WITH DUPLICATE COPY FOR FEE PROCESSING*;
6. CHECK #877464 IN THE AMOUNT OF \$502.00 FOR FILING FEE;
7. EXECUTED COMBINED DECLARATION AND POWER OF ATTORNEY;
8. EXECUTED ASSIGNMENT AND ASSIGNMENT RECORDATION COVER SHEET (PTO-1595) *WITH DUPLICATE COPY FOR FEE PROCESSING*;
9. CHECK #877463 IN THE AMOUNT OF \$40.00 FOR THE ASSIGNMENT RECORDATION FEE;
10. NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(B)(2)(B)(I);
11. ASSERTION OF SMALL ENTITY STATUS UNDER 37 CFR 1.27(a)(1);
12. INFORMATION DISCLOSURE STATEMENT (PTO-1449);
13. SIX (6) CITED REFERENCES; AND
14. RETURN RECEIPT POSTCARD TO ACKNOWLEDGE RECEIPT OF ABOVE-LISTED ITEMS.

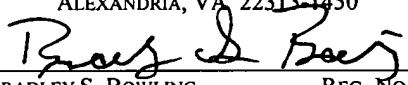
ATTORNEY CONTACT: BRADLEY S. BOWLING
REG. NO. 52,641
BAKER BOTTs L.L.P. (023640)
DIRECT TELEPHONE: 713.229.1802
DIRECT FACSIMILE: 713.229.7702
EMAIL: BRAD.BOWLING@BAKERBOTTs.COM

PTO CUSTOMER ID

023640

Attorney Docket No.: **016093.0117** **PATENT**
Express Mail Label No.: **EV339226286US**
Date of Deposit with Express Mail: **02/06/2004**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF MAILING VIA EXPRESS MAIL 37 C.F.R. §1.10	
<p>PURSUANT TO 37 C.F.R. §1.10, I HEREBY CERTIFY THAT I HAVE INFORMATION AND A REASONABLE BASIS FOR BELIEF THAT THIS CORRESPONDENCE WILL BE DEPOSITED WITH THE U.S. POSTAL SERVICE AS "EXPRESS MAIL POST OFFICE TO ADDRESSEE" ON THE DATE INDICATED BELOW, AND IS ADDRESSED TO:</p> <p>MAIL STOP PATENT APPLICATION HONORABLE COMMISSIONER FOR PATENTS P. O. BOX 1450 ALEXANDRIA, VA 22313-1450</p> <p> BRADLEY S. BOWLING</p> <p>REG. NO. 52,641</p>	
<p>DATE OF MAILING: 02/06/2004 EXPRESS MAIL LABEL: EV339226286US</p>	

MAIL STOP PATENT APPLICATION

Honorable Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is a patent application of:

Inventor: **Richard E. Waitkus, Jr.**
13911 Myrtle Drive
Houston, TX 77079

For: **"Weighing Baled Material"**

This new application is an original (nonprovisional) patent application.

Enclosed are:

- (a) One (1) Cover Page
- (b) Eighteen (18) total pages of Specification (pages 2-19)
(including Background, Summary, and Description of the Drawings);
- (c) Six (6) pages of Claims (pages 20-25);
- (d) One (1) page Abstract of the Disclosure (page 26); and

(e) Six (6) sheets of formal drawings.

This application is submitted with an executed combined Declaration/Power of Attorney.

This application is submitted with an executed Assignment and Recordation cover sheet, with duplicate copy of the cover sheet for fee processing.

This application is submitted with a Fee Transmittal Form (PTO/SB/17), with duplicate copy for fee processing.

This application is submitted with an Assertion of Small Entity Status.

This application is submitted with an Information Disclosure Statements.

CLAIMS FOR FEE CALCULATION					
	Actual	Number	Number Extra	Rate	Basic Fee \$385.00
Total Claims:	33	- 20 =	13	x \$9. =	117.00
Independent Claims:	3	- 3 =	0	x \$43 =	0.00
Total Filing Fee =					\$502.00

Included is check #877464 in the amount of \$502.00 for the filing fee and additional total and independent claims.

Also included is check #877463 in the amount of \$40.00 for the Assignment Recordation Fee.

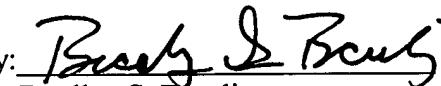
A return receipt postcard is also included to acknowledge receipt of the above-named items.

In the event of underpayment or overpayment for the filing of this application, the Commissioner is hereby authorized to debit additional fees from, or to credit any overpayments to, **Baker Botts L.L.P. Deposit Account No. 02-0383, Order No. 016293.0117.**

Please direct all correspondence to:

Bradley S. Bowling
Reg. No. 52,641
Baker Botts L.L.P. (023640)
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002-4995
Telephone: 713.229.1802
Facsimile: 713.229.7702
EMail: Brad.Bowling@bakerbotts.com

Respectfully submitted,
BAKER BOTT S L.L.P. (023640)

By: 
Bradley S. Bowling
Reg. No. 52,641
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002-4995
Telephone: 713.229.1802
Facsimile: 713.229.7702
EMail: Brad.Bowling@bakerbotts.com
ATTORNEY FOR APPLICANTS

DATE: February 6, 2004

Attorney Docket No.: 016093.0117

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Richard E. Waitkus, Jr.
	Title	Weighing Baled Material
	Attorney Docket Number	016093.0117

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

2/6/2004

Date

Bradley S. Bowling

Signature

713-229-1802

Telephone Number

Bradley S. Bowling

Typed or Printed Name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

HOU02:973405

Attorney Docket No.: 016093.0117
Express Mail No.: EV339226286US

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.